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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,695	06/18/2001	Hirokazu Hoshino	108269-00006	8597

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EXAMINER

LEMMA, SAMSON B

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/881,695

Applicant(s)

HOSHINO, HIROKAZU

Examiner

Samson B Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## ***DETAILED ACTION***

1. Claims **1-5** have been examined.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119 (a)-(d), which papers have been placed of record in the file.

### ***Specification***

3. The disclosure is objected because of the following informalities:
  - On page 2, last paragraph, "The above object has been achieved ..." has been mentioned. It should have been written as "The above objective has been achieved...."
  - On page 3, first paragraph, "Another object of the present invention is to provide ..." has been recited. It should have been written as "Another objective of the present invention is to provide..."
  - On page 6, on the fifth paragraph, "In the figure, the seesaw switching box (SSWB) **5** is in a state where the buffer ..." has been stated. It should have been written as "In the figure, the seesaw switching box (SSWB) **35** is in a state where the buffer..."
  - On page 7, first paragraph, 2<sup>nd</sup> line, "seesaw switching box (SSWB) **5** is in a state ..." has been mentioned. It should have been written as "seesaw switching box (SSWB) **35** in a state..."

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- On page 7, last paragraph and last line, “until the internal side switch (**SW2**) is closed.” Should have been “ until the internal side switch (**SW1**) is closed. ”
  - On page 18, fifth paragraph “router 1101” and “router 1103” have been mentioned. It should have been written as “router 1101” and “router 1103” respectively.
  - On page 19, first paragraph and second paragraph, both on the first line “terminal device 21” is mentioned, referring to figure 12. It should have been written as “terminal device 11”
- Appropriate correction is required.

### ***Drawings***

4. The drawing is objected because of the following informalities:
- On page 14, the first arrow is pointing towards the box, which says “START TO SHIFT TO THE EXTERNAL COMMUNICATION MODE IN ACCORDANCED WITH SW SERVER COMMAND” should have been written as “START TO SHIFT TO THE EXTERNAL COMMUNICATION MODE IN ACCORDANCE WITH SW SERVER COMMAND”
- Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

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5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 is indefinite because it recites "A first switch for short-circuiting releasing" which is interpreted by the office as "A first switch for short-circuiting and releasing". It has to be corrected to avoid any ambiguity.

7. Claim 5 depends from the rejected claim 2, and includes all the limitations of the respective claim, thereby rendering those dependent claims indefinite.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. **Claims 1-5** are rejected under 35 U.S.C. 102(a) as being anticipated by **Hironori**

**Wakayama**. (Hereinafter referred as **Wakayama**) (U.S. Patent No 6,026,502)

10. **As per claim 1, Wakayama discloses** a switch connection control apparatus for channels, which is interposed between channels and exclusively selects a connection of one

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channel and a connection of another channel. (Column 2, lines 54-61; column 1, lines 51-64; column 1, lines 65-column 2, line 10; column 2, lines 37-44; column 2, lines 11-30; figure 1, ref. Num "27" and ref. Num "30") (A switch connection control apparatus is interposed between channels or between the internal network or the server and the external network or internet and exclusively selects a connection of one channel, either the internal network or the external network but not both at the same time as explained on column 1, lines 51-64 and column 2, lines 11-30 and shown on figure 1).

11. **As per claim 2, Wakayama discloses** a switch connection control apparatus for channels, (column 2, lines 11-30; figure 1, ref. Num " 27" and ref. Num "30"), comprising:

- A main control device for conducting a certification and control of data; (Column 2, line 19-36; column 3, lines 25-45; column 4, lines 24-47; figure 1, reference "DATA PUMP FILTER", ref. Num "27" and ref. Num "30") (The "DATA PUMP FILTER" shown on figure 1, reference "DATA PUMP FILTER" is comprises of two data pump namely the data pump "27" and "30" and is met as "the main control device" and is explained on column 3, lines 25-lines 45. It conducts certification or virus removal and control of data of the request by checking the existence of virus in the request when the data is found to be actually doubtfully contaminated with virus as explained on column 4, lines 31-37. The request could come from either direction, that is, it is either coming from the internal network or server or the external network side or internet. The request or the data is examined and certified by erasing the virus if there is any at the controlling devices, namely the data pump filters "27" and "30" by using the "ANTI-VIRUS PROGRAM PHOTOCOUPLER CONTROL SYSTEM". Once the virus is removed the

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appropriate switch is exclusively turned on for transmitting the request or data from the requested network to the requesting network as explained on column 4, lines 24-47)

- A first buffer connected to a first channel; (The first buffer is connected to the external network 2 as shown on provided figure 5 by the applicant. **Wakayama** discloses that the first buffer which is met "RAM 24" which is connected with the external network or first channel which is met the "INTERNET 23" as shown on figure 1)
- A second buffer connected to said main control device for storing a request or data; ("RAM 29" which is met a second buffer is connected to the "DATA PUMP FILTER" which is met as main control device).
- A first switch for short-circuiting releasing said first buffer and said second buffer; (figure 1, ref. Num "33" and ref. Num "34") ("short-circuiting releasing" is corrected as short-circuiting and releasing. A first switch which is met the switch shown on figure 1, ref. Num "33" or ref. Num "34" is used for short-circuiting and releasing the first buffer which is met ref. Num "24" shown on figure 1).
- A second switch for short-circuiting and releasing said main control device and a second channel; (figure 1, ref. Num "35" and ref. Num "36") (Second channel is met the internal network or the "server" and switch "35" or switch "36" is used for short-circuiting and releasing said main control of device or "DATA PUMP FILTER" in particular the "ANTI-VIRUS PROGRAM PHOTOCOUPLER CONTROL SYSTEM "30" and the second channel or server.) and
- A switch control section that outputs a control signal for exclusively short-circuiting any one of said first and second switches in accordance with the main

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control device. (Column 2, lines 19-23; Figure 1, ref. Num "DATA PUMP FILTER"; ref. Num "33" and "34" ; and ref. Num "35" and "36")

12. **As per claim 3, Wakayama discloses** the switch connection control apparatus as applied to claim 1 above. Furthermore **Wakayama** discloses the apparatus, wherein a first buffer includes certification means for verifying a correctness of a request or data from a first channel. (Column 3, lines 19-24 and column 3, lines 31-38) (first channel is met as described above the external network or the "internet 23" as shown on figure 1 and the first buffer is met the "RAM-1" shown on figure 1, ref. Num 24. and the first buffer includes "ANTI-VIRUS PROGRAM" as shown on figure 1, in the link "keeper reference 20" to verify the correctness of the a request or data from the internet or the first channel.)
13. **As per claim 4, Wakayama discloses** the switch connection control apparatus as applied to claim 1 above. Furthermore **Wakayama** discloses the apparatus, wherein a main control device includes certification means for verifying a correctness of a request or data from a second channel.(Figure 1, reference Num "30") (The main control device which is interpreted by the office as the "DATA PUMP FILTER" consists of unit "27" and unit "30" as shown on figure 1. Each unit or data pump filter 27 and 28 has ANTI-VIRUS PROGRAM PHOTOCOUPLER CONTROL SYSTEM for verifying the correctness a request and when the data is found to be actually or doubtfully contaminated with viruses it will be deleted before transmitted as explained on column 4, lines 31-37. The main control device, unit "30" includes a certification means for verifying a correctness of the a request or data from a second channel or the server)



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14. **As per claim 5, Wakayama discloses** the switch connection control apparatus as applied to claim 2 above. Furthermore **Wakayama** discloses the apparatus, further comprising:

- A third buffer disposed between said main control device and said second switch for storing a request or data; (Ref. Num "39") (As shown on figure 1, buffer "39" is disposed between the main control device which is interpreted as unit "27" and the second switch which is switch "35")
- A fourth buffer disposed between said second channel and said second switch for storing a request or data. (Ref. Num "40" or ref. Num "41") (a fourth buffer which is met either buffer "40" or "41" shown on figure 1, is disposed between said second channel which is met the "Server" and second switch which is met switch "35" for storing a request or data as explained on column 5, lines 47-59)

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

**S-L**  
12/15/2004

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